

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JAN 26 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: THOMAS E. PRICE, Secretary of the  
United States Department of Health and  
Human Services; et al.

THOMAS E. PRICE, Secretary of the  
United States Department of Health and  
Human Services; et al.,

Petitioners,

v.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
CALIFORNIA, SAN FRANCISCO,

Respondent,

INSTITUTE FOR FISHERIES  
RESOURCES; et al.,

Real Parties in Interest.

No. 17-71121

D.C. No. 3:16-cv-01574-VC  
Northern District of California,  
San Francisco

ORDER

Before: REINHARDT, PAEZ, and BEA, Circuit Judges.

The unopposed motion for leave to file a brief as amici curiae (Docket Entry No. 7) is granted. The Clerk shall file the brief submitted by amici curiae at Docket Entry No. 7-2.

Petitioners have not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus. *See Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Accordingly, the petition is denied.

**DENIED.**